

United Nations Commission on Human Rights 59th Session

Item 6: Racism, Racial Discrimination, Xenophobia and all forms of Discrimination

*Oral Intervention made by the **Palestinian Centre for Human Rights (PCHR)**, a non-governmental organization with Special Consultative Status*
(Speaker: Victoria Metcalfe, PCHR's International Legal Officer)

The Palestinian Centre for Human Rights (PCHR) condemns in the strongest terms all forms of racism, racial discrimination, xenophobia and all forms of discrimination. PCHR expresses its grave concerns at the ongoing prevalence of racial discrimination in the world and reasserts its commitment to the elimination of racial discrimination and intolerance in all its forms. PCHR also asserts that discrimination against one group can never be used to justify racist practices and abuse against another group.

PCHR reiterates its vehement condemnation of Israel's ongoing illegal military occupation of the Gaza Strip and West Bank, including Jerusalem. PCHR reasserts that this occupation is an extreme form of racism and is founded on racial superiority. This occupation is maintained and expanded through a series of practices which violate international prohibitions on discrimination, including the crime of apartheid, as defined in the International Convention for the Suppression and Punishment of the Crime of Apartheid. These practices include, but are not limited to, discriminatory criteria for residency permits; discriminatory distribution and costs of natural resources, including water resources, and land; severe restrictions on movement of persons and goods; destruction to civilian property, including homes, civil institutions, commercial properties; discriminatory access to educational and medical services; total enclosure of whole communities in small, densely populated, under-developed locales with restricted economic, social and political life.

Throughout the Occupied Palestinian Territories, the Palestinian population is subjected to discriminatory practices which subjugate them in favour the Jewish settlement communities whose presence in the OPTs constitutes an ongoing violation of articles 49 and 147 of the Fourth Geneva Convention, namely a war crime. The Mawasi area in the southern Gaza Strip reflects perhaps, most clearly, this ongoing racial segregation in all its manifestations.

Approximately 5000 Palestinians are resident in the Mawasi which is surrounded by ? illegal Jewish settlements. The Palestinian residents have been subjugated to wide-ranging violations of their fundamental human rights for many years (since the beginning of the occupation?), including the right not to be discriminated against. Since the beginning of the illegal Israeli military occupation of the Gaza Strip, the Palestinian residents of the Mawasi have been subjected to the ongoing racial domination of the Jewish settlers and soldiers who live around them. The Palestinian community is totqally enclosed by the settler community and subjected to massive restrictions on their freedom of movement; on access to their agricultural lands, and the coastal area; access into and outside the community is largely denied to the majority of the registered residents of the Mawasi; increasing areas of Palestinian land

are brought under the effective control of the Settlers and military, with prohibited access for Palestinians enforced by live sniper fire, or arrest and detention. These discriminatory practices have effectively destroyed all areas of normal social, economic, political life for the Palestinian community; encasing the whole community in a large prison. The racial domination of the settler and military has rendered life impossible for the Palestinian residents, thereby forcing migration from the area. PCHR asserts that these practices are racist in nature and the intended resulting slow migration serves to further the expansionist aspirations of this colonialist military occupation.

PCHR notes with grave concern, the ongoing extreme racist practices utilised by the Israeli State and military in their maintenance and expansion of the illegal colonialist occupation of the Gaza Strip and West Bank, including Jerusalem. PCHR further expresses its deep regret that whilst the international community appears capable and willing to tackle racism and other human rights violations in some countries, including Iraq, the international community has consistently failed to take any effective measures against the State of Israel to end its widespread and systematic violations of human rights, including the prohibition on discrimination. PCHR demands that this Commission recognise and condemn the fundamentally racist and illegal nature of this occupation and call for its immediate dismantlement. PCHR also calls upon the international community to take immediate effective measures, in conformity with their obligations under the Fourth Geneva Convention, to ensure that the State of Israel respects international humanitarian law.